

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0055

ORIGINAL

SCOTT P. HEDDINGS,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellee.

FILED

AUG 19 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

COMES NOW, Koan Mercer, counsel of record for Petitioner and Appellant, and respectfully requests an extension of time until September 27, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's first extension request for the opening brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 19th day of August, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
139 N. Last Chance Gulch  
P.O. Box 200145  
Helena, MT 59620-0145

By: *Koan Mercer*  
KOAN MERCER  
Assistant Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED:

August 19, 2010 Angela Stagg